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1 **UNITED STATES DISTRICT COURT**
2 **NORTHERN DISTRICT OF CALIFORNIA**

3 CHASOM BROWN, WILLIAM BYATT,
4 JEREMY DAVIS, CHRISTOPHER
5 CASTILLO, and MONIQUE TRUJILLO
6 individually and on behalf of all similarly
7 situated,

8 Plaintiffs,

9 vs.

10 GOOGLE LLC,

11 Defendant.

12 Case No.: 4:20-cv-03664-YGR-SVK

13 **DECLARATION OF JAMES LEE IN
14 SUPPORT OF PLAINTIFFS' RESPONSE
15 TO GOOGLE'S MOTION TO EXCLUDE
16 OPINIONS OF PLAINTIFFS' DAMAGES
17 EXPERT MICHAEL J. LASINSKI**

18 The Honorable Yvonne Gonzalez Rogers

1
DECLARATION OF JAMES W. LEE

2 I, James W. Lee, declare as follows:

3 1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs
 4 in this matter. I am an attorney at law duly licensed to practice before all courts of the State of
 5 Florida. I have personal knowledge of the matters set forth herein and am competent to testify.

6 2. I submit this Declaration in support of Plaintiffs' Response to Google's Motion to
 7 Exclude Opinions of Plaintiffs' Damages Expert Michael J. Lasinski.

8 3. Attached hereto as **Exhibit 1** are true and accurate excerpts from the transcript of
 9 the June 30, 2022 deposition of Google employee Sabine Borsay.

10 4. Attached hereto as **Exhibit 2** is a true and accurate copy of an August 21, 2018,
 11 Washington Post article titled "*Don't want Google tracking you? You have almost no choice,*
 12 *according to a study*," authored by Hayley Tsukayama, available at
 13 [https://www.washingtonpost.com/technology/2018/08/22/dont-want-google-tracking-you-you-](https://www.washingtonpost.com/technology/2018/08/22/dont-want-google-tracking-you-you-have-almost-no-choice-according-new-study/)
 14 [have-almost-no-choice-according-new-study/](https://www.washingtonpost.com/technology/2018/08/22/dont-want-google-tracking-you-you-have-almost-no-choice-according-new-study/).

15 5. Attached hereto as **Exhibit 3** are true and accurate excerpts from the transcript of
 16 the August 16, 2022 deposition of On Amir.

17 6. Attached hereto as **Exhibit 4** is a true and correct copy of a document Google
 18 produced in discovery labeled GOOG-CABR-04324934.

19 7. Attached hereto as **Exhibit 5** are true and accurate excerpts from the transcript of
 20 the March 24, 2022 deposition of Google employee and designated Rule 30(b)(6) witness Troy
 21 Walker.

22 8. Attached hereto as **Exhibit 6** is a true and correct copy of a document Google
 23 produced in discovery labeled GOOG-CABR-04820567.

24 9. Attached hereto as **Exhibit 7** are true and accurate excerpts from the transcript of
 25 the March 10, 2022 deposition of Google employee and designated Rule 30(b)(6) witness Sonal
 26 Singhal.

10. Attached hereto as **Exhibit 8** are true and accurate excerpts from the rough transcript of the August 18, 2022 deposition of Bruce Strombom.

11. Attached hereto as **Exhibit 9** is a true and correct copy of a document Google produced in discovery labeled GOOG-CABR-04010128.

12. Attached hereto as **Exhibit 10** is a true and correct copy of a document Google produced in discovery labeled GOOG-BRWN-00230425.

13. Attached hereto as **Exhibit 11** are true and accurate excerpts from the transcript of the August 2, 2022 deposition of Steven Weisbrot.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of August, 2022, at Miami, Florida.

/s/ James W. Lee